

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

JOHN W. HOBBS, III

PLAINTIFF

V.

NO. 4:06CV01412-JMM/BD

**MICHAEL J. ASTRUE, Commissioner
of the Social Security Administration**

DEFENDANT

ORDER

The Commissioner of the Social Security Administration (“Commissioner”) has filed the pending Motion to Remand (#7). In the motion, the Commissioner asks the Court to reverse and remand this case for further administrative proceedings under sentence four of 42 U.S.C. § 405(g). The Commissioner states that Plaintiff has no objection to the motion.

On the basis of the foregoing, the Court finds that good cause exists for reversing and remanding this proceeding, and the motion to remand is GRANTED. The Commissioner’s decision is reversed and this matter is remanded to the Commissioner for further administrative proceedings in accordance with the terms outlined in the motion. This is a “sentence four” remand within the meaning of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U. S. 89 (1991). The dismissal of this case is without prejudice to Plaintiff’s subsequent filing of a motion for attorney’s fees and expenses pursuant to the Equal Access to Justice Act. A separate judgment will be entered pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED this 30th day of April, 2007.


UNITED STATES DISTRICT JUDGE